

JUDGE KAPLAN

Richard E. Haftel (RH-7394)
HAFTEL & SILVERMAN, P.C.
 260 Madison Avenue, 18th Floor
 New York, New York 10016
 (212) 686-3100

Attorneys for Plaintiff
 Kaufman Bros., L.P.

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----x
 KAUFMAN BROS., L.P.,

Plaintiff,

- against -

ETELOS, INC.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/26/08

6/26/08
 Request for order to
 show cause is withdrawn
 without prejudice at
 request of movant.
 So ordered.
 J. Kaplan
 6/26/08
 PART I

-----x
 Upon the annexed affidavit of Craig Kaufman, sworn to on June 24, 2008, the
 complaint and the exhibits annexed thereto, and the accompanying memorandum of law
 submitted herewith, it is

✓ **ORDERED**, that defendant show cause before a motion term of this Court, at
 Room _____, United States Courthouse, 500 Pearl Street, New York, New York, on June _____,
 2008, at _____ o'clock in the _____ noon of that day, or as soon thereafter as counsel can be
 heard, why an order should not be made and entered herein, pursuant to Rule 65 of the Federal
 Rules of Civil Procedure,

- (1) enjoining the defendant during the pendency of this action from cancelling any common stock in plaintiff's name;
- (2) directing the trial of the action on the merits to be advanced and consolidated with the hearing of the application for a preliminary injunction pursuant to Rule 65(a)(2); and
- (3) granting expedited discovery, with all discovery to be completed within thirty (30) days; and it is further

ORDERED, that sufficient reason appearing therefor, pending the hearing and determination of plaintiff's application for a preliminary injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure, the defendant is temporarily enjoined and restrained from cancelling any common stock in plaintiff's name; and it is further

 **ORDERED**, that security in the amount of \$ _____ be posted by plaintiff prior to June _____, 2008 at _____ o'clock in the _____ noon of that day; and it is further,

 **ORDERED**, that service of a copy of this order and the papers on which it is based together with service of the Summons and Complaint on defendant by overnight courier, pursuant to written agreement of the parties, on or before June _____, 2008 shall be deemed good and sufficient service; and it is further

 **ORDERED**, that opposing papers, if any, shall be served by Federal Express upon plaintiff's counsel on or before June _____, 2008.

United States District Judge

 June _____, 2008 